G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1896-97 1896
(Police)

File No. 53

Serial Nos. 4 and 10.

B
~~Papers Filed.~~

Month August 96

SUBJECT.

Prosecution in cases of infant marriages during the year 1896—97.
(Somasethalli)

PREVIOUS REFERENCES.	LATER REFERENCES.
	Indexed B.B.S.

SECTION 3 & 2e

FILE No. 6 - T 2 16

SERIAL No.

In his petition dated October 1895, one Gandra Ramiah, Jodidar of Nandi in the Bod-Ballapur Taluk, brought to the notice of the Police Inspector of the Gowribidnur Taluk, that on Saturday the 12th day of Shravana Bahula of the Manmatha year corresponding to 17th August 1895, an infant marriage took place at Somasettihalli, Hosur Hobli of the said Taluk, between one Ranga (aged 3) and a girl named Ranji (aged 3 or 4 years).

Thereupon 32

witnesses were examined,
25 by the Police Inspector
and 6 by the Jamedar
to ascertain the truth
or otherwise of the
Judge's statement.
Of the above, 11 persons
ignored all knowledge
of the marriage and
20 admitted the fact
and added that
the age of the girl
was from 2 1/2 to 3 1/2
years, while that
of the man was
between 22 & 32. Of
these 20, 14 deposed
that the marriage
took place in the
month of Febru-
-ary 1895, (about the
time of Sriyuja
Sivaratheri), while
5 others stated
that it occurred

in the month of Augu
1895, i.e. on the last
Saturday in the
month of Swaraj,
the remaining one
naming the month
of July as the period
during which the
marriage was cele-
brated.

The Asst Supt
of Police to whom
the above papers were
submitted by the
Police Inspector,
believing the evidence
of the 5 persons
who deposed that
the marriage
occurred in the month
of August by
which volume the
operation of the
Infant marriage
Regulation had
be ...

Begum, requested the Inspector General of Police, in his No. 481 of 16-6-96
to obtain the sanction of the Govt for conducting the prosecution against the marginally noted persons who were either directly concerned & who aided and abetted the offence.

1 Ranga, bridegroom
2 Pattanaregauda
3 Patel Nanjegauda
4 Munisami (father of the girl)
5 Purohit Venkatrama Bhatta, (abettors)

The Inspector Gl now requests A sanction to conduct the prosecution in the said case. No. 346/37 of 25-7-96.

The point for consideration is whether the marriage really took place on the last Saturday in the month of Shravana or as

deposed to by 5
witnesses or in the
month of February
as stated by the
other 14 witnesses.
If the evidence of the
latter is relied on
then the act of celebra-
ting the marriage
does not amount
to an offence under
the provisions of
the Infant marriage
Regulation which
had not been
introduced into
the Province before
the month of Feby

In this connection
it is to be noted
that a Chit sent
with Saffron
purporting to
a Lagnapatri

is also filed among
the papers, but
particulars as to
who produced it,
in whose custody
the Quran was, and
whether it was
genuine or not,
are not forthcoming.
In the absence of
them it is questionable
as to whether the
time for the marriage
therein fixed as
Maghrib on the
Monday, corresponding
to 20th January 96,
is in any way to be
taken into account.

Submitted accordingly.

marriage Act 1949 came into force on 12 April 1950. It is a doubtful case whether this was intended to amend the ancient rule, which required that the marriage should take place between the hours of 8 a.m. and noon. The rule was abrogated by the Marriage Act 1949, which provided that marriages might be solemnized between the hours of 8 a.m. and 6 p.m. [illegible]

Cited by Lord M.

"I don't think this is a good case for prosecution. The complainant was not a dissenting minister. The marriage. The evidence was only to the effect of the conviction that the marriage took place before the Registrar came before

13/8/96

There is a print of the engraving as it was when the marriage took place. Some say it was celebrated in Folk [illegible]

SECTION Police

FILE No. 53 81 C.

SER'AL No. 4

Gen. 30.

From

OFFICE OF THE DEWAN OF MYSORE
28 JUL 1896
189 E 138

The Inspector General of Police
in Mysore.

(1)

To

The ~~General~~ Secretary to the
Government of Mysore,
General & Revenue Departments.

Dated 25

Despatched 27 July 1896.

Received 28 ~~ou~~

General No. 346
No. 37

Enclosure No. 2 & file.

Recommending the prosecution of the parties concerned in an infant marriage that took place at Somasetti halli in the Goribidnore Taluk on the 17th August 1895.

J 28/7/96

Let me have a Precis of the Vernacular records

CI 30-7-96

Abbas Sahib

Submitted.

MM

8/8/96.

Precis submitted to Secy

Registrar CI 11/8/96

The case is under the Mysore Infant Marriage Prevention Regulation. The parties concerned in the marriage are Hindus. The Regulation is not applicable to Hindus. The case is therefore closed.

Noted

13/8

OFFICE OF THE

INSPECTOR GENERAL OF POLICE IN MYSORE.

Camp Mysore

No. 346/37 Enc. Dated 25th July 1896

FROM

THE INSPECTOR GENERAL OF POLICE
IN MYSORE.

To.

THE ~~GENERAL~~ SECRETARY TO THE
GOVERNMENT OF MYSORE,
General and Revenue Departments

I have the honor to forward herewith copy of a memo and a file of Canarese papers (to be kindly returned) received from the Assistant Superintendent of Police, Kolar, reporting on the occurrence of an infant marriage at Somasettihalli in the Goribidnore Taluk on the 17th August 1895.

2. The Police enquiry shows that the parties are Vakkaligars by caste, that the bride Gauji a girl of 3 years and daughter of one Muniswami was given in marriage to Runga aged about 25 years, and that the marriage was celebrated in the Ramadevaru temple at Somasettihalli. The marriage was arranged by

Putta

Puttta Narase Gowda on behalf of the bridegroom who is an orphan and Immiswami father of the bride, and Patel Narasi Gowda, nephew of Putta Narase Gowda aided and abetted the celebration of the marriage. Venkatnarna Bhatta officiated as Purohit on the occasion of the marriage.

3. The Assistant Superintendent of Police recommends the prosecution of the following persons:—

(1) Ranga, the bridegroom.
(2) Putta Narase Gowda.
(3) Patel Narase Gowda.
(4) Immiswami, father of the bride and
(5) Purohit Venkatnarna Bhatta.

Copies of the marginally noted correspondence are herewith forwarded for the information of Government.

4. I beg that sanction may be accorded to prosecute the above said 5 individuals for an offence under Section 3 of the Mysore Infant Marriages Prevention Regulation No. X of 1894.

I have the honor to be,
Sir,
Your most obedient Servant,

/B Madhava Rao
Inspector General
of Police.

His office No. 3950 of 26-6-96 to the Assistant Superintendent of Police, Kolar, and reply thereto No. 6 of 3-7-96.

Gen. 31]

Enclosure 4.

1896 1/a

From The Inspector General of Police in Mysore.

To The Assistant Superintendent of Police, Kolar District.

Dated 26th June 1896.

Despatched 28th June 1896.

Received

General No. 3950

No. 364

Enclosure No.

His No. 481 dated 16-6-96, submitting a memo regarding a case of Infant marriage which took place in the village of Somasettihally, Goribidnur Taluk.

Has the honor to observe that among the persons proposed to be prosecuted is one Patel Narsegowda. Neither the memo nor the summary of evidence forwarded to this office, discloses who the individual is and on what grounds it is intended to prosecute him. Requests therefore that the point may be explained, and the Canarese records relating to the investigation of the case, also submitted for perusal of the undersigned.

Signed V. P. Madhava Rao.

Inspector General of Police.

From,
The Assistant Superintendent of Police,
Kolar District.

To, The Inspector General
of Police in Mysore.

No. 6 Dated 3-7-96.
Enc: one Vernacular file.

His No. 3950/384 dated 28-6-96.

In submitting herewith as called for the Canarese records relating to the investigation of the case, has the honor to state that sanction was applied for to prosecute Patel Narasegowda also, on the ground that he aided and abetted the celebration of the marriage in question. He is a nephew of Putta Narasegowda who was the guiding spirit of the marriage.

Besides being a near relation of the bridegroom he is also the Patel of the village where the marriage took place.

Signed/ G. Krishna Rao.
Asst. Supt. of Police,
Kolar District.

"Copies."

Krishna Rao
Inspector General
of Police.

Memo in re the Infant Marriage Case of Somasetti halli Goribidnore Taluk.

This case arose out of the two petitions, one addressed by Co-sharer Ramaya of Jodi Arudi village to the Taluk authorities dated 16-10-95 and the other by Jodidar Ramachendra Sastry to the Dewan Sahib of Mysore dated 10-11-95.

The facts of the case as alleged by the petitioners are briefly these:—

Ganji a child of 3 years old was married to Vakligar Runga in the temple of Rama Devaru at Somasettihalli, on Bahula Dwadasi of Sravana of the year manmatha Corresponding to 17th August 1895.

Runga was an orphan and was under the protection of Putta Narasagowda who had the marriage performed. The celebration of the marriage has been proved and admitted, but the question is as to the date of its celebration.

One set speaks to the marriage having been performed in August 1895 and the other in February 1895. In the former case the marriage was illegal having been performed after the Regulation came into force, while in the former it would be no offence. The latter set of witnesses are either relations of the accused or are themselves concerned in the offence. They vaguely give the time of the marriage without giving the exact date, whereas the former give particulars as to the date, the hour, the week &c., as so many months ago without specifying the date.

Putta Narasa Gowda has also produced a 'Lagna Patrika' which shows that the marriage was settled to take place on 'Shuda Navami' of 'Magha' of the year 'Jaya' Corresponding to 4th Feby

February 1895. This is proved to be not an auspicious date for marriage.

The bride is a child of 3 or 4 years while the bridegroom is about 25. There being a prima facie case for the prosecution, it seems expedient that the offenders should be put upon their trial and be dealt with according to law.

Sanction of Government is therefore solicited to prosecute the marginally noted men. A Summary of the evidence is hereto appended for kind perusal.

Signed Narayanaiyangar.
Dist. Supt. of Police.
Kolar District.

* Ramya the ex Putte Varasi Gow
Patel Varada Gow
Muniswamy, father of the bride.
Venkat Varna
Purohit.

"Copy"

M. Madhava Rao
Inspector General
of Police.

Summary of the evidence in the Somasettihalli Infant Marriage Case, Coribidnore Taluk.

Gundu Ramaya, Jodidar.

Gauji married to Runga at Somasettihalli on Bahula Dwadasi of Sravana of the year Manmatha in the temple of Ramadevar Girl aged 3 or 4.

2. Venkat Narna Bhat – officiated as priest during the marriag Runga aged 22. Gauji aged 3. Gaujee's parents were present. Marria took place 5 or 6 months previous to 26-10-95.

3. Narasamma mother of the bride. Gauji aged about 3½. married to Runga during 'Siji' Sivarathri (meaning in the month of February 1895) in the temple of Rama at Somasettihalli.

4. Talavar Narasimha – was present during the marriage of Runga with Gauji, the marriage took place three months previous to 26-10-95. Putta Narasi Gowda's statement was incorrect.

5. Appu Bhatta of Gorghatta – does not know of the marriage Putta Narase Gowda went to him and asked him to fix a 'Lagnam' He did so. He wrote the 'Lagna Patrik' shown to him.

6. Talvar Narasimha of Somasettihalli knows the bride and the bridegroom. Marriage took place one morning about 6 months previous to 25-1-96 Gauji aged 3 years.

7. Dasappah of Somasettihalli – Knows the bride and the bridegroom. Marriage took place in Rama's temple. It was in the month of 'Sravana' 8 days previous to 'Gouri feast in 1895. It was on last Saturday of Sravana. Records show the zid between himself

and Putta Narase Gowda.

8. Lingaiah of Arudi - The marriage of Runga took place on Bahula Dwadasi of Sravana of Manmatha. Girl aged 3 years.

9. Venkatesh Bhat of Arudi. He went to Somasettihalli on Dasan or Navami of last Sravana. Putta Narase Gowda then asked him if the were Lagnams. He told him that there was Lagnam on the following Dwadasi and Trayodasi.

10. Mallappah of Arudi. He was going to Somasettihalli on last Saturday of Sravana. Marriage was taking place in the temple. He heard from Thalwar Narasimha that Runga was being married to a girl of Gorgatta.

11 Subbrayappal of Arudi. He does not know about the marriage of Runga. But Putta Narasé Gowda was at Arudi on Bahula Dasami of Sravana of the year Manmatha. He was making some purchases in a shop. On enquiry he learnt from Putta Narasé Gowda that Runga was to be married 2 or 3 days after this Conversation. He saw the married couple pass through Arudi. Girl looked like 3 or 4 years old.

12. Hampa Gowda. 5 or 6 months previous to 29-4-96, he was going from Somasettihalli to Arudi. Putta Narasé Gowda asked him to send Purohit Venkat Rama Bhat. He met the Bhat on the way and asked him to go to Putta Narase Gowda.

13. Rama Bhat of Arudi. He was present during the marriage which took place on last Saturday of Sravana of the year Manmatha: The bride of Gorgatta was 3 years old. He

bride.

bridegroom was about 30 years. He was presented with 3 pies and ½ seer of rice.

/Signed/ Narayanaiyengar
for Asst. Superintendent of Police
Kolar District.

"Copy"

/Sd/ Madhava Rao

Inspector General
of Police

No. 2391 of 14-8-96.
Rear. 1/268 of
Sup. file
(3)
Letter No. 346/37 of 25-7-96

SECTION Police
FILE No. 53 of 96
SER'AL No. 10

from the Supt. Govt of Police in Mysore ~~forwarding a file~~ of ~~Connected~~ papers and requ sanction ~~to~~ to ~~Commencing~~ the prosecution of the parties concerned in an infant marriage celebrated alleged to have been ~~held~~ on the 17th August 9 at Somasettihalli, Gori bidnur Taluk, Kolar Dt.

Order thereon.

It is observed that there is a great conflict of evidence as to the ti when the marriage took place. Some of the witnesses say that it wa celebrated in February and others in August 1895

The Mysore Infant Marriages Prevention Regulation

Came

came into force on
12: April 1855.

In a doubtful
case like this when it
cannot be ascertained
satisfactorily and definitely
that the marriage took
place subsequent to
the coming into Operation
of the Regulation, the
Government deem it
inexpedient to sanction
the prosecution suggested.

1st Sr order) 15/5/56
for Secretary.

2 The Insp: Genl of Police
returning the Records.